

**UNITED STATES DISTRICT COURT**  
for the  
**DISTRICT OF OREGON**

United States of America )  
v. )  
EARNEST GILMORE REYNOLDS ) Case No: CR 03-60103-01-HO  
Date of Previous Judgment: 08/02/2005 ) USM No: 107098-065  
(Use Date of Last Amended Judgment if Applicable) ) Mr. Larry Roloff  
Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 63 months is reduced to 51.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level:	<u>27</u>	Amended Offense Level:	<u>25</u>
Criminal History Category:	<u>1</u>	Criminal History Category:	<u>1</u>
Previous Guideline Range:	<u>70</u> to <u>87</u> months	Amended Guideline Range:	<u>57</u> to <u>71</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

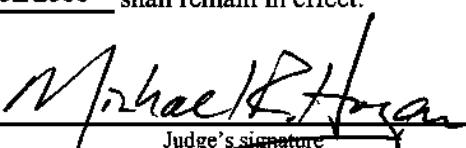
**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 08/02/2005 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 5/7/08

Effective Date: 5/20/08  
(if different from order date)

  
\_\_\_\_\_  
Judge's signature

Michael R. Hogan, U.S. District Judge

\_\_\_\_\_  
Printed name and title